

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	WC Docket No. 11-42
Lifeline Reform and Modernization)	
)	
Telecommunications Carriers)	WC Docket No. 09-197
Eligible for Universal Service)	
Support)	
)	
Connect America Fund)	WC Docket No. 10-90

EMERGENCY PETITION FOR TEMPORARY WAIVER

TracFone Wireless, Inc. (“TracFone”), by its attorneys, pursuant to Section 1.3 of the Commission’s rules,¹ respectfully petitions the Commission for temporary waiver of the Commission’s Lifeline rules governing de-enrollment for non-usage and requiring annual re-certification of Lifeline eligibility on each enrolled Lifeline consumer’s service anniversary date. The applicable rules included in this waiver request are Sections 54.405(e)(3), 54.405(e)(4), 54.407(c)(2), and 54.410(f).² The waivers requested herein are limited to TracFone’s Lifeline service in Puerto Rico.³

On September 6, 2017, another Lifeline provider – Telrite Corporation (“Telrite”) similarly petitioned for emergency interim waivers. By order issued September 7, 2017, the Commission granted, in part, Telrite’s waiver request.⁴ Telrite’s petition described in detail the devastation already caused by Hurricane Irma and how that devastation and resulting damage to

¹ 47 C.F.R. § 1.3.

² 47 C.F.R. §§ 54.405(e)(3), 54.405(e)(4), 54.407(c)(2), and 54.410(f).

³ Unlike Telrite Corporation which petitioned for and was granted interim emergency waivers both for Puerto Rico and the U.S. Virgin Islands, TracFone provides Lifeline service in Puerto Rico but not in the U.S. Virgin Islands. However, see n. 5 of this petition.

⁴ Lifeline and Link Up Reform and Modernization, et al (Order), DA 17-860, released September 7, 2017.

infrastructure had displaced thousands of Puerto Rico residents, including many Lifeline customers, and rendered virtually impossible timely re-certifications by those customers. It also explained why de-enrollment of customers for non-usage suffering the effects of Irma would cause unnecessary hardship. Those same circumstances are similarly applicable to TracFone and its SafeLink Wireless® Lifeline customers. The Commission's September 7 Order acknowledges those circumstances and granted appropriate interim relief. By this petition, on behalf of its Puerto Rico Lifeline customers, TracFone respectfully requests the same interim waivers and relief.⁵

Respectfully submitted,

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⁵ This waiver request is limited to Puerto Rico. However, as of the date of preparation of this petition, Hurricane Irma is rapidly approaching Florida – a state where TracFone has many thousands of Lifeline customers. The exact impacts of Irma are not known at this time. However, some meteorological projections indicate that the storm could affect other States, including Georgia, North Carolina and South Carolina. In addition, two other tropical storms have formed in the Atlantic and could cause further damage and disruption to certain States. Accordingly, TracFone reserves the right to supplement this interim emergency waiver request as necessary and appropriate, depending on actual damage caused in those states.